

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

KEVIN MURPHY,

Plaintiff,

v.

Case No. 8:20-cv-2688-T-60AAS

MARK MICALE and TODD ALAN
HUNGER,

Defendants.

REPORT AND RECOMMENDATION

After reviewing Kevin Murphy's complaint and application to proceed *in forma pauperis* (Docs. 1, 2), the court took Mr. Murphy's motion under advisement pending Mr. Murphy amending his complaint by January 4, 2021. (Doc. 4). Mr. Murphy failed to amend his complaint despite being advised that failure to do so may result in a recommendation of dismissal. (*Id.* at p. 6).

Therefore, it is **RECOMMENDED** that Mr. Murphy's motion for leave to proceed *in forma pauperis* (Doc. 2) be **DENIED**, and the complaint (Doc. 1) be **DISMISSED**.

ENTERED in Tampa, Florida on January 6, 2021.



AMANDA ARNOLD SANSONE
United States Magistrate Judge

NOTICE TO PARTIES

Mr. Murphy has fourteen days from the date he is served a copy of this report to file written objections to this report's proposed findings and recommendations or to seek an extension of the fourteen-day deadline to file written objections. 28 U.S.C. § 636(b)(1); 11th Cir. R. 3-1. A party's failure to object timely in accordance with 28 U.S.C. § 636(b)(1) waives that party's right to challenge on appeal the district court's order adopting this report's unobjected-to factual findings and legal conclusions. 11th Cir. R. 3-1.

cc:

Kevin Murphy
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